

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

Kathy Missey,

Plaintiff,

v.

Watson Acquisition Group, LLC, et al.,

Defendants.

Case No. 4:10-cv-01788-AGF

**PLAINTIFF'S MOTION  
FOR ENTRY OF DEFAULT**

Now comes Plaintiff, through counsel, and pursuant to Federal Rule of Civil Procedure 55(a), respectfully moves this honorable Court to enter the default of Defendants Watson Acquisition Group, LLC and Walker Peters Morgan, LLC ("Defendants") for failure to plead or otherwise defend this action. In support hereof, Plaintiff states as follows:

The clerk of court must enter a party's default when that party fails to plead or otherwise defend against a claim for affirmative relief. Fed R. Civ. P. 55(a). In this action, a process server served both Defendants with the summons and complaint on October 29, 2010. *See* Doc.3. As such, each Defendant's Answer was due on November 19, 2010. *See* Fed. R. Civ. P. 12(a)(1)(A)(i). As of today's date, both Defendant's failed to file or serve Plaintiff with a responsive pleading; Defendants failed to plead or otherwise defend this action.

WHEREFORE, Plaintiff respectfully requests that this honorable Court enter each Defendant's default upon the record.

RESPECTFULLY SUBMITTED,

By: s/ Timothy J. Sostrin

Timothy J. Sostrin, attorney-in-charge  
Macey & Aleman, P.C.  
IL Bar # 6290807, SD Texas Bar # 980881  
233 S. Wacker Drive, Suite 5150  
Chicago, IL 60606  
Email: [tjs@legalthelpers.com](mailto:tjs@legalthelpers.com)  
Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that on December 13, 2010, I served Defendant with the foregoing

Certificate by depositing a copy of the same in the U.S. mail addresses as follows:

Watson Acquisition Group LLC  
327 Robert Drive  
North Tonawanda, NY 14120

Walker Peters Morgan LLC  
327 Robert Drive  
North Tonawanda, NY 14120

/s/ Timothy J. Sostrin